

REMARKS

In response to the Office Action dated April 14, 2009, Applicant respectfully requests reconsideration based on the following remarks. Applicant respectfully submits that the claims as presented are in condition for allowance.

Status of the Claims

Claims 1-26, 28-31, 34-37 and 39-42 stand rejected under Section 103(a) as being unpatentable over U.S. Patent Publication No. 2002/0147648 to Fadden et al. (Fadden) in view of U.S. Patent Publication No. 2004/0064404 to Cohen et al. (Cohen).

The Rejections under Section 103

Claims 1-20:

In support of the rejection of Claim 1, the Action states:

Fadden discloses a method for providing customer sales information, the method comprising:

a) sending a request for customer sales information associated with a customer from a member sales representative of a business organization to a customer sales information processing and communication (CSIPC) server associated with and under the control of the business organization using a terminal that is remote from the CSIPC server, wherein the customer sales information is based on the external credit rating information. (See column 3 para 0032 and column 2 para 0025-0027 and column 8 claims 32 and 33).

Fadden fail to explicitly teach retrieving external credit rating information associated with the customer from an external credit rating agency (ECRA) system using the CSIPC server, wherein the ECRA system is not associated with the organization; and sending the customer sales information from the CSIPC server to the terminal wherein the customer sales information is based on the external credit rating information.

However, Cohen discloses the system includes a central data processing facility which is connectable to national credit repositories through dedicated data links. The central data processor requests credit information on an applicant from one

or more of the repositories, generates a credit report, and transmits the report to the requesting user (i.e., customer). Requests and reports are transmitted via a communications system or network. If data is inputted from more than one repository, the central data processing facility eliminates duplicated data, selects the best data if there are conflicts, and merges the remaining data into a single report. (see column 2 para 0011).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Fadden to include the system includes a central data processing facility which is connectable to national credit repositories through dedicated data links. The central data processor requests credit information on an applicant from one or more of the repositories, generates a credit report, and transmits the report to the requesting user (i.e., customer). Requests and reports are transmitted via a communications system or network. If data is inputted from more than one repository, the central data processing facility eliminates duplicated data, selects the best data if there are conflicts, and merges the remaining data into a single report taught by Cohen in order to locate and update selected records from a remotely located databases and remotely coding records in debtor credit card account databases.

The Action at pages 2-3. Based on the cited passages of Fadden and Cohen, Applicant understands the Action to apply the cited references as follows: the "user input" of **Figure 3** of Fadden corresponds to the "sales representative of a business organization" of Claim 1; the kiosk 1 of Fadden or a component thereof corresponds to the "remote terminal" of Claim 1; the credit agency/bank/financial institution 9, the remote server 8, or the remote database 7 of Fadden corresponds to the "CSIPC server" of Claim 1; and the central data processing facility or the national credit repositories of Cohen are regarded as corresponding to the "ECRA" of Claim 1. In the event Applicant has misunderstood the Action, Applicant respectfully requests that the Examiner contact the undersigned by telephone or clarify the rejection in the next non-final action.

Applicant respectfully submits that the invention of Claim 1 is patentable over the cited art and the rejection should be withdrawn. Fadden discloses methods wherein a customer, not a sales representative of a business organization that is associated with and

controls the kiosk 1 (*i.e.*, the component regarded as corresponding to the CSIPC server), transmits data. "A customer at the fuel dispenser to purchase gasoline may swipe his/her transaction card through the card reader integrated with the dispenser. After the card is swiped, card data and transaction data may be transmitted" Fadden at Paragraph [0032] (emphasis added). Fadden does not teach or suggest that a sales representative of the business organization that controls the kiosk 1 transmits data. To the contrary, Fadden is directed to marketing and sales targeted to a particular customer based on that customer's input, such as the customer swiping his or her credit card. Therefore, Fadden actually teaches away from sending a request for customer sales information associated with a customer from a sales representative of a business organization that is associated with and controls the kiosk 1, as recited in Claim 1. This is the case whether the credit agency/bank/financial institution 9, the remote server 8, or the remote database 7 is identified as the CSIPC server.

In view of the foregoing, Fadden does not teach or suggest the aspects for which it is relied upon in support of the rejection. Cohen does not appear to in any way satisfy the deficiencies of Fadden in this regard. Moreover, in brief, Applicant respectfully submits that it would not have been obvious to one of ordinary skill in the art to have modified the method of Fadden in the manner suggested by the Action. Fadden already provides for "an appropriate credit agency or other bank or financial institution for approval of credit for the fuel purchase transaction." Fadden at Paragraph [0032]. As such, one of ordinary skill in the art would not have been motivated to modify Fadden to employ a redundant credit rating agency, such as the central data processing facility or the national credit repositories of Cohen.

Accordingly, Claim 1 is allowable over the cited art for at least the foregoing reasons. Claims 2-20 depend from Claim 1 and are allowable as well for at least these reasons. At least certain of the dependent claims are independently patentable over the cited art.

Claim 7 depends from Claim 1 and recites:

7. The method of Claim 1 wherein:
 - a) the request includes a first customer identifier corresponding to the customer;

- b) the method further comprises associating the first customer identifier with a second customer identifier using the CSIPC server; and
- c) the step of retrieving the external credit information includes providing the second customer identifier to the ECRA system.

Fadden does not teach or suggest providing a second customer identifier to the ECRA system.

Claim 8 depends from Claim 7 and further recites "wherein the first customer identifier is a telephone number." Fadden does not teach or suggest using a telephone number as a first customer identifier in the request for sales information from a sales representative. More particularly, Fadden only discloses that a customer may provide a phone number to assist in product shipping and the like.

Claim 10 depends from Claim 1 and recites:

- 10. The method of Claim 1 wherein:
 - a) the method further comprises retrieving internal customer information associated with the customer by the business organization from a database of the CSIPC server; and
 - b) the customer sales information is also based on the internal customer information.

Fadden does not teach or suggest a method as claimed, wherein the customer sales information is based on the external credit rating information and the internal customer information.

Claim 11 depends from Claim 10 and further recites "wherein the internal customer information includes payment history information." Fadden does not disclose or suggest a method as claimed, wherein the internal customer information includes payment history information.

Claim 12 depends from Claim 10 and further recites "determining an internal customer rating based on both the external credit rating and the internal customer information, wherein the customer sales information includes the internal customer rating." Fadden does not teach or suggest an internal customer rating based on both the external credit rating and the internal customer information.

Claim 13 depends from Claim 10 and further recites "determining a sales term based on at least one of the external credit rating and the internal customer information, wherein the customer sales information includes the sales term." Fadden does not disclose or suggest a sales term, much less a sales term based on at least one of the external credit rating and the internal customer information.

Claim 14 depends from Claims 1, 10 and 13 and further recites "wherein the sales term includes at least one of a maximum allowed sale amount and a required down payment." Fadden does not teach or suggest a method as claimed, wherein the sales term includes at least one of a maximum allowed sale amount and a required down payment.

Claim 15 further recites, *inter alia*:

- a) the terminal is a wireless communication device and the request is sent to the CSIPC server using a wireless signal;
- b) the request includes a telephone number corresponding to the customer;
- c) the method further comprises associating the telephone number with a customer identifier using the CSIPC server;

Accordingly, Claim 15 is further patentably distinguishable from the cited art for at least the reasons discussed above with regard to Claim 8.

Claim 16 depends from Claim 15 and further recites "determining an internal customer rating based on both the external credit rating and the internal customer information, wherein the customer sales information includes the internal customer rating." Accordingly, Claim 16 is further patentably distinguishable from the cited art for at least the reasons discussed above with regard to Claim 12.

Claim 17 depends from Claim 15 and further recites "determining a sales term based on at least one of the external credit rating and the internal customer information, wherein the customer sales information includes the sales term." Accordingly, Claim 17 is further patentably distinguishable from the cited art for at least the reasons discussed above with regard to Claim 13.

Claim 18 depends from Claim 1, 15 and 17 and further recites "wherein the sales term includes at least one of a maximum allowed sale amount and a required down payment."

Accordingly, Claim 18 is further patentably distinguishable from the cited art for at least the reasons discussed above with regard to Claim 14.

Claim 19 depends from Claim 1 and further recites "wherein the sales representative is a sales representative for a vendor of business directory advertisements, and further comprising offering to sell the customer a business directory advertisement." Fadden does not disclose or suggest a sales representative, much less a sales representative for a vendor of business directory advertisements. Moreover, Fadden does not disclose or suggest offering to sell the customer a business directory advertisement.

Claim 20 depends from Claim 1 and further recites "authenticating the sales representative to confirm that the sales representative is authorized to access the customer sales information." Fadden does not disclose or suggest a sales representative. As such, Fadden does not teach or suggest a method as claimed, including authenticating the sales representative to confirm that the sales representative is authorized to access the customer sales information.

Claims 21-23:

Claim 21 recites, *inter alia*:

- a) sending a request for customer sales information associated with a customer from a sales representative of a business organization to a customer sales information processing and communication (CSIPC) server associated with and under the control of the business organization using a wireless signal from a wireless communication device that is remote from the CSIPC server;

Accordingly, Claim 21 is patentably distinguishable from the cited art for at least the reasons discussed above with regard to Claim 1. Claims 22 and 23 depend from Claim 21.

Claims 24 and 25:

Claim 24 recites:

24. A method for providing customer sales information, the method comprising:

- a) sending a request for customer sales information from a sales representative of a business organization to a customer sales information processing and communication (CSIPC) server associated with and under the control of the business organization using a terminal that is remote from the CSIPC server, the request including a telephone number;
- b) retrieving customer rating information associated with the telephone number using the CSIPC server; and
- c) sending the customer sales information to the terminal from the CSIPC server, wherein the customer sales information is based on the customer rating information.

Accordingly, Claim 24 is patentably distinguishable from the cited art for at least the reasons discussed above with regard to Claims 1 and 8. Claim 25 depends from Claim 24.

Claims 26 and 28-31:

Claim 26 recites:

26. A method for providing customer sales information, the method comprising:
- a) sending a request for customer sales information associated with a customer from a sales representative of a business organization to a customer sales information processing and communication (CSIPC) server associated with and under the control of the business organization;
 - b) retrieving customer rating information associated with the customer using the CSIPC server; and
 - c) automatically determining a sales term using the CSIPC server, wherein the sales term is based on the customer rating information; and
 - d) sending the sales term to the sales representative from the CSIPC server;
- wherein the sales term includes at least one of a maximum allowed sale amount and a required down payment.

Accordingly, Claim 26 is allowable for at least the reasons discussed above with regard to Claims 1, 13 and 14. Claims 28-31 depend from Claim 26.

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Claims 34-37:

Claims 34-37 recite systems for providing customer sales information corresponding to Claims 1, 21, 24 and 26, respectively. Accordingly, Claims 34-37 are patentable over the cited art for at least the reasons discussed above with regard to Claims 1, 21, 24 and 26.

Claims 39-42:

Claims 39-42 recite computer program products for providing customer sales information corresponding to Claims 1, 21, 24 and 26, respectively. Accordingly, Claims 39-42 are patentable over the cited art for at least the reasons discussed above with regard to Claims 1, 21, 24 and 26.

CONCLUSION

Applicant respectfully submits that this application is now in condition for allowance, which action is requested. Should the Examiner have any matters outstanding of resolution, he is encouraged to telephone the undersigned at 919-854-1400 for expeditious handling.

Respectfully submitted,

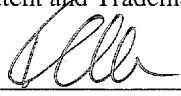


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CERTIFICATION OF TRANSMISSION

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